

REMARKS

This application pertains to a novel method for color correction of dental restorations or artificial teeth.

Claims 1, 2, 4, 5, 7, 10 and 11 are pending; claim 8 being cancelled by this amendment. The limitations of claim 8 have been added to claim 1, making claim 1 an independent form of claim 8.

The Examiner has suggested that the word "further" be cancelled from line 12 of claim 1. Applicants gratefully acknowledge the Examiner's suggestion, and have amended the claim accordingly.

Claims 1, 2, 4, 5, 7, 8, 10 and 11 stand rejected under 35 U.S.C. 112, first paragraph, because the Examiner does not see support for the expression "a single paste composition". The indicated expression has now been cancelled from the claims, and the rejection should be withdrawn.

Claims 1, 2, 4, 5, 7, 8, 10 and 11 stand rejected under 35 U.S.C. 112, second paragraph because claim 1 recites both a photoinitiator and a polymerization initiator. In addition, the Examiner sees the expression "...adjusting the color..." as confusing. The Examiner also sees the term "the main initiator" in claim 10 as lacking antecedent basis. Claim 1 has been amended to recite --color correction-- instead of "adjusting the color". Support for this amendment is found at page 1, line 1 and in original claim 1. In addition, the term "photoinitiator" has been cancelled. Claim 10 has been amended to

cancel the term “main”.

It is believed that these amendments obviate the rejection, and the rejection of claims 1, 2, 4, 5, 7, 8, 10 and 11 under 35 U.S.C. 112, second paragraph should now be withdrawn.

Claims 1, 2, 7 and 10 stand rejected under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lai (US 5,801,164).

Applicants believe that the Examiner actually meant Lai (US 5,081,164).

Applicants' claims relate to the correction of the color of a dental restorative part by the application of a specific coating to it. The coating must have a viscosity within a specific range so that it could be applied by e.g. brushing or a similar technique (page 3, lines 24-25).

The Lai reference clearly has nothing to do with any materials that can be applied as a coating to a dental restorative part. Lai, by contrast, is concerned with a material for making dental restorative parts, and not a material that is applied to such parts as a coating. Thus, the method of use for Lai's restorative compositions is exemplified at column 12, line 7, where the material was placed in a mold and cured. Accordingly, no “coating” is created, as is required by Applicants' claims. Nowhere in Lai is there anything to be found that would teach or suggest that any material be applied to the surface of any dental part.

Nevertheless, in a determined effort to advance the prosecution of this case, Applicants note that claim 8 is not included in this rejection, and have therefore added the limitations of claim 8 to claim 1, thereby making claim 1 an independent form of claim 8. This amendment clearly obviates the rejection, and the rejection of claims 1, 2, 7 and 10 under 35 U.S.C. 102(b) as anticipated by or, in the alternative, under 35 U.S.C. 103(a) as obvious over Lai (US 5,081,164) should now be withdrawn.

Claims 1,7 and 10 stand rejected under 35 U.S.C. 102(b) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over Koblitz et al (US 4,553,940).

The Koblitz reference is not concerned with a coating however, and discloses only a dental restorative material suitable for e.g. fillings. Thus, at column 8, lines 1-3, Koblitz teaches that:

Irradiation of such preparations in various restorative configurations will yield well-formed, color stable, strong, and durable restored structures.

This reference is clearly concerned with dental **structures**, and not coatings. Therefore no reading of this reference could possibly lead to Applicants' novel method, in which a dental coating is applied to the surface of a dental part.

Nevertheless, in a determined effort to advance the prosecution of this case, Applicants note that claim 8 is not included in this rejection, and have therefore added the limitations of claim 8 to claim 1, thereby making claim 1 an independent form of claim 8. This amendment clearly obviates the rejection, and the rejection of claims 1, 7

and 10 under 35 U.S.C. 102(b) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over Koblitz et al (US 4,553,940) should now be withdrawn.

Claims 1,7 and 10 stand rejected under 35 U.S.C. 102(b) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over Schaefer (US 5,009,597).

The Schaefer reference clearly is concerned with a jacket disposed over a core, and not a coating. The jacket has a layer thickness of e.g. 0.8 - 1.2 mm, as illustrated in Example 7, which clearly would suggest a jacket and not a coating.

Nevertheless, in a determined effort to advance the prosecution of this case, Applicants note that claim 8 is not included in this rejection, and have therefore added the limitations of claim 8 to claim 1, thereby making claim 1 an independent form of claim 8. This amendment clearly obviates the rejection, and the rejection of claims 1, 7 and 10 under 35 U.S.C. 102(b) as anticipated by or in the alternative under 35 U.S.C. 103(a) as obvious over Schaefer (US 5,009,597) should now be withdrawn.

In view of the present amendments and remarks it is believed that claims 1, 2, 4, 5, 7, 10 and 11 are now in condition for allowance. Reconsideration of said claims by the Examiner is respectfully requested and the allowance thereof is courteously solicited. Should the Examiner not deem the present amendment and remarks to place the instant claims in condition for allowance, it is respectfully requested that this Amendment Under Rule 116 be entered for the purpose of placing the prosecution record in better condition for appeal.

CONDITIONAL PETITION FOR EXTENSION OF TIME

If any extension of time for this response is required, Appellants request that this be considered a petition therefor. Please charge the required petition fee to Deposit Account No. 14-1263.

ADDITIONAL FEE

Please charge any insufficiency of fee or credit any excess to Deposit Account No. 14-1263.

Respectfully submitted,
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